

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

**MID-CONTINENT MARINE INC., D/B/A
MID CONTINENT MARINE PARTNETSHIP,
Plaintiff**

v.

CIVIL NO. 04-2092(DRD)

**CARGO MANAGEMENT, et al.,
Defendants**

MOTION	ORDER
Date Filed: 04/13/2006 Docket #40 <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant Title: Motion to Substitute or Join Party Under Rule 25(c)	GRANTED in part. The Court in its discretion hereby joins Glencoe, Inc., as additional plaintiff to the instant action. Although the court may order to substitute a party, or in the alternative, to join a party when a corporation is dissolved, the effect of a corporation's dissolution must be determined by Iowa local statutory law. Because, plaintiff has failed to illustrate the Court whether a dissolved corporation under the laws of Iowa may continue to prosecute its claims and rights, the Court hereby deems that joinder rather than substitution of Glencoe, Inc., will facilitate the conduct of litigation without defeat diversity jurisdiction. The Court notes that defendant has not raised any objection to plaintiff's request to substitute or to join hence, plaintiff's arguments are deemed waived and plaintiff's motion is ruled as unopposed pursuant to Local Civil Rule 7.1(b).

Date Filed: 04/13/2006**Docket #41**☒ **Plaintiff**☐ **Defendant****Title:** Motion to Join Pursuant to
Rules 17(a), 19(a) FRCP

GRANTED. Because co-defendant, Ruben Rodriguez-Valdivia's spouse, Ms. Maria Morris-Zamora's rights, and the community property amongst them, may be affected by the outcome of the instant litigation, the Court hereby grants plaintiff's request to join **Ms. Maria Morris-Zamora** as co-defendant to the captioned case pursuant to Rule 19, Fed.R.Civ.P. The Clerk of Court is **INSTRUCTED** to add Ms. Maria Morris-Zamora as co-defendant to the instant action and to issue forthwith the corresponding summons. Further, plaintiff is **ORDERED** to serve process, including copy of the complaint, summons, Minutes of the Proceedings held on April 5, 2006, and of this Order upon Ms. Maria Morris-Zamora within **twenty (20) days** to commence counting from the issuance of this Order. Once Ms. Maria Morris-Zamora is served process, plaintiff shall immediately file an Informative Motion evidencing that process was served within the deadline provided by the Court. Further, Ms. Maria Morris-Zamora is forewarned that once process is served, the Court grants her a term of **twenty (20) days** to answer the complaint and/or otherwise plead. Co-defendant is forewarned that any request for an extension of time shall be **SUMMARILY DENIED** and that failure to appear before the Court within the deadline provided shall result in the Entry of Default. **Finally, all the parties to the instant case are duly forewarned that the deadlines provided at the Status Conference held on April 5, 2006, remain as FIRM DATES** therefore, all parties including Ms. Maria Morris-Zamora shall comply with the deadlines therein provided.

IT IS SO ORDERED.In San Juan, Puerto Rico this 12TH day of May 2006.

S/DANIEL R. DOMINGUEZ
DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE